

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Adam Abdalla Dabash,

Case No. 21-cv-1693 (WMW/DTS)

Plaintiff,

v.

REPORT AND RECOMMENDATION

Bureau of Consular Affairs,

Defendant.

Plaintiff Adam Dabash filed this action on July 23, 2021, along with an application to proceed in District Court without prepaying fees or costs. The application was granted and the clerk's office mailed the Order and Marshal Service Forms to the address provided by him in his initiating documents. The mail was returned as undeliverable and marked "attempted not known." When the mail was returned, the clerk's office called the number on file for Dabash and left a message regarding the incorrect address. He called and requested that the words "Attn: Mahoud Moussa" and an apartment number be added to the address. The clerk remailed the documents to the modified address and this time they were not returned.

The August 30, 2021 Order directed Dabash to return the completed Marshal Service Forms within 30 days, or the matter would be recommended for dismissal for failure to prosecute. See Fed. R. Civ. P. 41(b).

It has been three months since the order, letter, and Marshal Service Forms were sent to Dabash at the modified address and he has not returned the completed Marshal Service Forms for processing.

Accordingly, this Court **RECOMMENDS** that: This action be **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(b) for failure to prosecute.

Dated: December 7, 2021

s/David T. Schultz
DAVID T. SCHULTZ
U.S. Magistrate Judge